

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK:

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**ADEKUNLE OLUMUYIWA OLUYISOLA OLUSI,**

Docket No.: 07 Civ.8776 (DC)

Plaintiff,

**AFFIRMATION OF LATENESS**  
**OF ATTORNEY FOR**  
**PLAINTIFF.**

-against-

**PETER KEISLER, U.S. Acting**  
**Attorney General, et-al,**

Defendant.

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**EDWARD A. ROBERTS, ESQ.,** an attorney duly admitted to practice law before the Courts of the State of New York, as well as before the within Court, affirms the following under penalties of law and CPLR Sec. 2106:

1. That I am the attorney for the plaintiff herein; and as such I am fully familiar with the facts and circumstances herein.

2. I make this affirmation in support of (a) the plaintiff's request for the re-scheduling of the within pretrial conference scheduled for May 30, 2008 at 11:30 A.M in Room 11A of the Courthouse at 500 Pearl Street, New York, New York, 10007, and (b) for such other, further and different relief as to this Court may deem just and appropriate under the circumstances.

3. Upon information and belief, this Court scheduled a pretrial conference in the within matter for May 30, 2008 at 11:30

A.M in Room 11AM and thusly notified your affirmant electronically of said pretrial conference.

4. Pursuant to said notice, your affirmant's office were to notify the defendant's attorney of said conference.

5. Your affirmant was of the impression the Secretary of the undersigned had timely notified a his adversaries of said pretrial conference date and mailed a copy of the notice to them. However, your affirmant's secretary, who left the Country suddenly because of the illness of her aged mother, evidently did not do so and your affirmant only recently discovered said circumstance.

6. In fact your deponent's secretary is still away and would affirmant expects her to return in a matter of weeks.

7. By virtue of the above facts and circumstances your affirmant respectfully requests that the pretrial conference be rescheduled to a later date and time, thus giving your affirmant's office another opportunity to give the defendants' attorney a more timely notification of the rescheduled pretrial conference date.

8. Your affirmant hereby apologizes for the inconvenience created by the office of your affirmant.

9. Upon information and belief, no previous application for the relief herein was made by your affirmant or the plaintiff herein.

**WHEREFORE,** your affirmant respectfully request that the relief requested herein be granted in all respects and that this

Court grants such other, further and different relief as to this Court may deem just, proper and equitable under the circumstances.

Dated: Brooklyn, New York  
May 27, 2008

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**DULY AFFIRMED: EDWARD A. ROBERTS, ESQ.**